

**Fostering Families Today**  
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**Pew Commission on Children in Foster Care:**  
**makes recommendations for fixing the broken system**  
**By Carol Emig, Executive Director of the Pew Commission**

All children need safe, permanent families who love, nurture, protect and guide them. This idea was not only the starting point for the Pew Commission's work, but a steady compass throughout the commission's deliberations.

Launched in May 2003, the commission spent a year in intensive deliberations. Each member of the commission brought to this task a deep professional – and often personal – commitment to making certain that all children can have safety, stability and a permanent family. Several members are foster or adoptive parents; all have had experience serving the children and families most affected by foster care.

During deliberations, members met with experts and academics, judges and caseworkers, administrators and advocates. Most importantly, the commission met with children and parents intimately involved with the foster care system. Children currently in foster care, former foster youth, foster and adoptive parents and birth parents whose children were in foster care all shared their experiences and insights. The commission's recommendations would not have been possible without their input.

In May of this year, the commission released recommendations designed to overhaul the nation's foster care system. The recommendations focused specifically on two key issues: federal financing and court oversight. The commission focused on these two areas because reform in financing and court oversight can have far-reaching, positive effects for children in foster care.

Recommendations "call for greater accountability by both child welfare agencies and courts," stated Commission Chairman and former Congressman Bill Frenzel, R-Minn. "They give states a flexible, reliable source of federal funding, as well as new options and incentives to seek safety and permanence for children in foster care." They also "help courts secure the tools, information and training needed to fulfill their responsibilities to children, and help children and parents have a strong, informed voice in court proceedings," Frenzel said.

**The key components of the Commission's financing recommendations are:**

- Preserving federal foster care maintenance and adoption assistance as an entitlement and expanding it to all children, regardless of their birth families' income, including Indian children and children in the U.S. territories;
- Providing federal guardianship assistance to all children who leave foster care to live with a permanent legal guardian when a court has explicitly determined that

neither reunification nor adoption are viable permanence options for a particular child;

- Helping states build a range of services from prevention, to treatment, to post-permanence by first creating a flexible, indexed Safe Children, Strong Families Grant from what is currently included in Title IV-B and the administration and training components of Title IV-E; and second allowing states to “reinvest” federal and state foster care dollars into other child welfare services if they safely reduce their use of foster care;
- Encouraging innovation by expanding and simplifying the federal waiver process and providing incentives to states that first make and maintain improvements in their child welfare workforce and second increase all forms of safe permanence; and
- Strengthening the current Child and Family Services Review process to increase states’ accountability for improving outcomes for children.

#### **The Commission’s court recommendations call for:**

- Adoption of court performance measures by every dependency court to ensure that they can track and analyze their caseloads, increase accountability for improved outcomes for children, and inform decisions about the allocation of court resources;
- Incentives and requirements for effective collaboration between courts and child welfare agencies on behalf of children in foster care;
- A strong voice for children and parents in court and effective representation by better trained attorneys and volunteer advocates;
- Leadership from chief justices and other state court leaders in organizing their court systems to better serve children, provide training for judges, and promote more effective standards for dependency courts, judges, and attorneys.

#### **Commission Activities Following Release of its Recommendations**

After the release of the commission’s report on May 18, the recommendations were discussed in a number of editorials and opinion pieces in newspapers across the country. Commissioners attended a number of local, state and national conferences and events to discuss the recommendations and the impact they would have on the state of the foster care system.

In June, Frenzel addressed a joint meeting of the American Bar Association and the American Psychological Association and talked about the commission’s recommendations. He and Commissioner Helen Jones-Kelley spoke to the National Court

Appointed Special Advocates Conference in Washington, D.C. Later in the month, Commissioners Gary Stangler and Cristina Silva participated in a Children's Caucus meeting in the State Capitol in Nashville, Tenn., and spoke about the ways in which the commission's recommendations would benefit children and parents involved in the foster care system. Also in June, the California Judicial Council, headed by California Chief Justice Ronald George, passed a resolution supporting the commission's recommendations and "urging Congressional action."

In July, Commissioners Judge William Thorne, Judge Patricia Macias and Jones-Kelley attended and addressed an annual gathering of the National Council of Juvenile and Family Court Judges. Later that month, Commissioners Angela Monson and Stangler addressed the National Conference of State Legislatures Human Services Committee. At the end of the month, the Conference of Chief Justices and the Conference of State Court Administrators passed a resolution supporting the Commission's recommendations. Michigan Chief Justice Maura Corrigan and California Court Administrator William Vickrey are members of the commission. Finally, the North American Council on Adoptable Children's annual meeting at the end of July featured Commissioners Polly Arango and Thorne in a plenary session.

Throughout the summer, the commission screened a preview of its interactive DVD at a number of the above-mentioned conferences. The DVD features several commission members, as well as prominent leaders in the judicial arena, and focuses on the commission's court recommendations and their potential impact. The DVD is targeted to judges, lawyers and other court officials, as well as policymakers at the federal, state, and local levels, and is intended not only to give them a birds' eye view of a child's experience in dependency court and in foster care, but to emphasize the difference that implementation of the commission's recommendations would make in expediting the journey towards safety and permanence for children in foster care.

The commission's recommendations are strong and achievable. They keep children at the center of every decision and provide incentives for states and courts to do what is right, and what is necessary, for the children in their care. The commission will continue to promote its recommendations throughout the fall and winter. The commission hopes every American will join in this bold effort to secure safe, permanent families for the half a million children in foster care.

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**ABOUT THE AUTHOR:** Carol Emig is the executive director of the Pew Commission on Children in Foster Care. The nonpartisan Pew Commission was launched on May 7, 2003. The panel was charged with developing practical, evidence-based recommendations related to federal financing and court oversight of child welfare to improve outcomes for children in foster care, particularly to expedite the movement of children from foster care to safe, permanent families and prevent unnecessary placements in foster care. For more information, or to obtain a copy of the report, or the 50 states' data about foster care, visit [www.pewfostercare.org](http://www.pewfostercare.org).